

UNITED STATES DISTRICT COURT

WORCESTER

District of

MASSACHUSETTS

ATTACHMENT 5
OFFICEEDWARD TAVARES JR
Plaintiff -PETITIONER

V.

COMMONWEALTH OF MASSACHUSETTS et al
CASE NUMBER

2004 APR 26 P 12:53

APPLICATION TO PROCEED

WITHOUT PREPAYMENT OF
FEES AND AFFIDAVITDISTRICT COURT
DISTRICT OF MASS.

04-40059 -NMG

Defendant

Edward Tavares Jr. declare that I am the (check appropriate box) petitioner other

in the above-entitled proceeding; that in support of my request to proceed without prepayment of fees or costs under 28 USC §1915 I declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief sought in the complaint/petition/motion.

In support of this application, I answer the following questions under penalty of perjury:

Are you currently incarcerated? Yes No (If "No," go to Part 2)If "Yes," state the place of your incarceration NCC I GardnerAre you employed at the institution? NO Do you receive any payment from the _____

Attach a ledger sheet from the institution(s) of your incarceration showing at least the past six months' transactions.

Are you currently employed? Yes No

a. If the answer is "Yes," state the amount of your take-home salary or wages and pay period and give the name and address of your employer.

b. If the answer is "No," state the date of your last employment, the amount of your take-home salary or wages and pay period and the name and address of your last employer.

1 year ago at institution while incarcerated see ppn at

In the past 12 twelve months have you received any money from any of the following sources?

- | | | |
|---|------------------------------|--|
| a. Business, profession or other self-employment | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| b. Rent payments, interest or dividends | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| c. Pensions, annuities or life insurance payments | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| d. Disability or workers compensation payments | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| e. Gifts or inheritances | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| f. Any other sources | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If the answer to any of the above is "Yes," describe, on the following page, each source of money and state the amount received and what you expect you will continue to receive.

4. Do you have **any** cash or checking or savings accounts? Yes No
If "Yes," state the total amount. None
5. Do you own any real estate, stocks, bonds, securities, other financial instruments, automobiles or any other thing of value? Yes No
If "Yes," describe the property and state its value.
None
5. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute to their support.

None

declare under penalty of perjury that the above information is true and correct.

April 18, 2004
Date

Edward Roman III

Signature of Applicant

NOTICE TO PRISONER: A Prisoner seeking to proceed IFP shall submit an affidavit stating all assets. In addition, a prisoner must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

MASSACHUSETTS
DEPARTMENT OF CORRECTION
Inmate Transaction History
Summary Report

NCCI-GARDNER

Inmate Name.....	Tavares, Edward		
Commitment number....	W43443		
Period encompassed....	10/5/2003	THRU	4/5/2004
Six Month Average Daily Balance	7.45	0.01	7.46
20% of Six Month Average Daily Balance	1.49		
Total Expenditures for Period	69.59		
Total Income for Period	75.00		

To the best of my knowledge, the above
summary information is true and accurate:

Signed *Roxanne F. Kennedy*
Roxanne F. Kennedy Inmate Account Clerk

Time: 1:30 pm

Date: 4-7-04

Note: A copy of the inmate's account activity statement for the six month period
("Inmate Transaction History") is attached.

COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF CORRECTION

Inmate Transaction Report

Date : 20040406 08:47

Commit# :	W43443					NCCI GARDNER	Page : 1
Name :	TAVARES, EDWARD,					Statement From	20031005
Inst :	NCCI GARDNER					To	20040406
Block :	THOMPSON-3						
Cell/Bed :	369/B						
Transaction Date	Type	Receipt #	Check No	Inst Name	Notes	Personal	Savings
					Total Transaction before this Period :	Income	Expense
20031008 16:54	IS - Interest	1778974		GAR		\$800.27	\$798.90
20031008 16:54	IS - Interest	1778975		GAR		\$0.00	\$0.00
20031028 10:15	ML - Mail	1874301		GAR	-NO NAME	\$25.00	\$0.00
20031105 22:30	CN - Canteen	1909550		GAR	-Canteen Date 20031105	\$0.00	\$24.33
20031107 16:24	IS - Interest	1924107		GAR		\$0.00	\$0.00
20031107 16:24	IS - Interest	1924108		GAR		\$0.00	\$0.00
20031209 13:37	IS - Interest	2060371		GAR		\$0.00	\$0.00
20031209 13:37	IS - Interest	2060372		GAR		\$0.00	\$0.00
20040113 12:01	IS - Interest	2227949		GAR		\$0.00	\$0.00
20040113 12:01	IS - Interest	2227950		GAR		\$0.00	\$0.00
20040126 13:37	ML - Mail	2295500		GAR	-TAVARES, STEVE,	\$50.00	\$0.00
20040127 22:30	CN - Canteen	2301887		GAR	-Canteen Date : 20040127	\$0.00	\$41.02
20040130 13:30	IC - Transfer from Inmate to Club A/c	2320265		GAR	-MAIL -POSTAGE - Z11-POSTAGE - Z11	\$0.00	\$1.06
20040130 13:30	IC - Transfer from Inmate to Club A/c	2320266		GAR	-MAIL -POSTAGE - Z11-POSTAGE - Z11	\$0.00	\$1.06
20040130 13:30	IC - Transfer from Inmate to Club A/c	2320267		GAR	-MAIL -POSTAGE - Z11-POSTAGE - Z11	\$0.00	\$1.06
20040130 13:31	IC - Transfer from Inmate to Club A/c	2320269		GAR	-MAIL -POSTAGE - Z11-POSTAGE - Z11	\$0.00	\$1.06
20040210 11:35	IS - Interest	2357574		GAR		\$0.00	\$0.00
20040210 11:35	IS - Interest	2357575		GAR		\$0.00	\$0.00
20040309 14:53	IS - Interest	2489035		GAR		\$0.00	\$0.00
20040309 14:53	IS - Interest	2489036		GAR		\$0.00	\$0.00
						\$75.00	\$69.59
						\$0.00	\$0.00

Personal	Savings
\$6.78	\$0.01

Balance as of ending date :

Current Balances :

Personal	Savings	Freeze	Loan	Restitution	Sentence
\$6.78	\$0.01	\$0.00	\$0.00	\$0.00	\$0.00